

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,**

Plaintiff,

v.

No. 1:23-cv-1346 (JSR)

**TERRAFORM LABS PTE, Ltd. and
DO KWON,**

Defendants.

**NOTICE OF MOTION FOR SUMMARY JUDGMENT
AGAINST DEFENDANTS AND MOTIONS TO EXCLUDE
DEFENDANTS' EXPERTS' REPORTS AND TESTIMONY**

PLEASE TAKE NOTICE that, pursuant to the Amended Case Management Plan entered in this case on June 28, 2023 (Dkt. No. 44), Plaintiff Securities and Exchange Commission ("SEC") will file a motion pursuant Fed. R. Civ. P. 56 for summary judgment on the basis that there is no genuine dispute as to any material fact and the SEC is entitled to judgment as a matter of law on each of its claims. The SEC shall file its moving papers on October 27, 2023, defendants shall file their answering papers on or before November 10, 2023, and the SEC shall file its reply on or before November 17, 2023. Oral argument on the motion will be held before the Honorable Jed S. Rakoff at the United States Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom 14B, New York, New York, on November 30, 2023 at 4:00pm.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's order dated October 20, 2023, the SEC will file motions to exclude the report and testimony of Defendants' expert witnesses pursuant to Fed. R. Evid. 702. The SEC shall file its moving papers on October 27,

2023, defendants shall file their answering papers on or before November 7, 2023, and the SEC shall file its reply on or before November 10, 2023. Oral argument on the motions will be held before the Honorable Jed S. Rakoff at the United States Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom 14B, New York, New York, on November 17, 2023 at 2:00pm.

Dated: October 20, 2023

Respectfully submitted,

/s/ Michael E. Welsh

James P. Connor, admitted *pro hac vice*

Christopher J. Carney

Laura E. Meehan

Devon L. Staren, admitted *pro hac vice*

Carina A. Cuellar, admitted *pro hac vice*

Michael E. Welsh, admitted *pro hac vice*

Attorneys for Plaintiff

U.S. SECURITIES AND EXCHANGE
COMMISSION

100 F Street NE

Washington, DC 20549

Tel: (202) 551-8394

Email: connorja@sec.gov